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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/576,037	05/23/2000	Roy Lou	5244-0128-2	4372
22850 7590 12/31/2007 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER BRINICH, STEPHEN M	
			ART UNIT	PAPER NUMBER
			2625	
			NOTIFICATION DATE	DELIVERY MODE
			12/31/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09576037	5/23/00	LOU, ROY	5244-0128-2

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

Stephen M. Brinich

ART UNIT	PAPER
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2625

20071219

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Office Action Summary	Application No. 09/576,037	Applicant(s) LOU, ROY	
	Examiner Stephen M. Brinich	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-24 is/are allowed.
- 6) ☒ Claim(s) 1-8 and 25-45 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-6, 8, & 25-45 are rejected under 35 U.S.C. 102(b) as being anticipated by Kubo et al (US 5828461).

Re claims 1, 8, 25, & 30-32, Kubo et al discloses (Figures 9A-10 & 12 and column 22, line 25 - column 25, line 30; particularly column 22, lines 25-33 and column 24, lines 18-33 & 53-56) a print control system in which a print dialogue box 113 is displayed immediately following the receipt of a print request (from "PRINT SETTING" button 95 in Figure 9A) with options for displaying and modifying print settings, including an indication of a paper selection, and a control for confirming and activating (the "SETTING" button 115) the print job using the print job settings as they are currently set. When "SETTING" button 115 is activated, Kubo et al discloses (column 25, lines 52-64) an automatic layout setting operation that includes an indication of the paper size (allowing it to be "changed as occasion demands").

After confirming the print job, at least one printing information dialogue box (Figures 9A-10, items 90 & 100; column

22, lines 53-67; column 25, lines 15-23) including an indication of a paper selection is displayed. This box displays a modifiable synopsis to direct the processing of the print job.

Re claim 2, the print dialogue box includes a printer selection ("AUTOMATIC" or "MANUAL") and a scale size ("RESOLUTION").

Re claim 3 & 27, the print dialogue box includes a "CANCEL" button to cancel the print job.

Re claims 4-6, 25-27, 34-36, & 39-45, the printing information dialogue box has "PRINT" and "CANCEL" buttons to respectively enable and activate (either for a first time or for an additional instance readable on "resubmission") and cancel the print job.

Re claim 33, 37, & 40, the printing information dialogue box enables the editable selection of a paper size and color tone, which is readable upon the (not further described) "print selection device".

Re claim 28-29 & 38-45, the "resubmission" of a print job by repeating the steps of submitting the original print job again follows the described steps (displaying the print dialogue box again, selecting settings in the new print dialogue box, confirming the settings by selecting the "OK" button in the

print dialogue box, displaying the printing information dialogue box again, selecting the output file in the printing information dialogue box, and activating the print job by selecting the "OK" button in the printing information dialogue box).

Claim Rejections - 35 USC § 103

3. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kubo et al.

Re claim 7, Kubo et al teaches the display of a list of print settings as described above, but does not teach or suggest the display of the entire recited list of specific print property settings (including all of printer name, printer ports, timeout settings, color management, output printer settings, banner settings, paper selection, document size, print size, paper type, printer tray, print resolution, edge smoothing flags, toner savings flag, graphics configuration, accessories, statistics, and watermark properties).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to select this particular list of print properties for display.

The suggestion/motivation for including these specific print property settings rather than others would have been to

enable user control and monitoring of those particular settings while minimizing interface clutter.

Therefore, it would have been obvious to use this specific list of displayed print properties to obtain the invention as specified in claim 7.

Allowable Subject Matter

4. Claims 9-24 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter:

As noted by Applicant (10/30/07 Remarks: page 12, line 9 - page 15, line 6; particularly page 13, line 4 - page 14, line 6), the system of Kubo et al discloses the display of print dialogue box 113 only after an intermediate step intervening between a print request by the user and the display of the print dialogue box. This is not consistent with the recitation in claim 9 of a one step response to the print request by the user.

Response to Arguments

6. Applicant's arguments (10/30/07 Remarks: page 12, line 9 - page 15, line 6) re claims 1-8 & 25-30 have been fully considered but they are not persuasive.

Re claims 1, 25, & 30 (and dependent claims 2-8, 25-29, & 31-45), Applicant argues that the system of Kubo et al discloses

the display of print dialogue box 113 only after an intermediate step intervening between a print request by the user and the display of the print dialogue box.

While Examiner notes (see above) that this disclosure is not consistent with the recitation in claim 9 of a one step response to the print request by the user, it is consistent with the recitation in claims 1, 25, & 30 of a one step response to a print request not specified as directly received from the user. In the present rejection of claims 1-6, 8, & 25-45 under 35 USC §102 and of claim 7 under 35 USC §103, the recited "print request" is read upon a print request provided via "PRINT SETTING" button 95 in Figure 9A.

Conclusion

7. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application, entry of papers into this application, or other any inquiries of a general nature concerning application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 571-272-1000.

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The examiner can normally be reached on weekdays 8:00-5:30, alternate Fridays off.

The examiner's unit designation has been changed from "Art Unit 2624" to "Technology Division 2625" (as of March 20, 2006).

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300.

Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.


Stephen M Brinich
Examiner
Technology Division 2625

smb
December 19, 2007